

REGULATION 1.20 Malfunction Prevention Programs

**Air Pollution Control District of Jefferson County
Jefferson County, Kentucky**

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation establishes the requirement for the owner or operator of certain permitted processes or process equipment to develop and implement a malfunction prevention program.

SECTION 1 Definitions

Terms used in this regulation that are not defined in this regulation shall have the meaning given to them in Regulation 1.02 *Definitions*.

1.1 “Affected facility” means any process or process equipment that meets one of the following:

1.1.1 A malfunction involving the process or process equipment was reported pursuant to Regulation 1.07 *Excess Emissions During Startups, Shutdowns, and Malfunctions* and the District determines that the development and implementation of a malfunction prevention program is appropriate,

1.1.2 The District determines that a malfunction involving the process or process equipment may have occurred and that the development and implementation of a malfunction prevention program is appropriate, or

1.1.3 The District determines that the development and implementation of a malfunction prevention program is appropriate to minimize the likelihood of the occurrence of a malfunction that may become harmful to public health or welfare.

SECTION 2 Applicability

This regulation applies to any affected facility.

SECTION 3 Malfunction Prevention Program Requirements

3.1 The owner or operator of an affected facility shall develop a malfunction prevention program to prevent, detect, and correct malfunctions, equipment failures, or abnormal process or process equipment operating parameters that may cause an excess emission. The program shall be in writing and reviewed and updated as the owner or operator or the District determines necessary to keep the program current, relevant, and effective. The program shall, at a minimum, include all of the following:

3.1.1 Identification of the processes, process equipment, and air pollution control equipment included in the program, including monitoring equipment and other instrumentation used to determine proper operation of the process and equipment,

3.1.2 Identification of the individual or position responsible for inspecting, maintaining, and repairing the affected process equipment and air pollution control equipment,

3.1.3 The maximum intervals for inspection and routine maintenance of the affected process equipment and air pollution control equipment. The maximum interval for routine

[If adopted, this would be a new regulation]

[Approved by the Committee of the Whole on January 13, 2005, for Public Review]

- 41 inspection and maintenance shall not exceed that recommended by the manufacturer
42 unless specifically identified in the program and justified,
- 43 3.1.4 A description of the items or conditions that will be inspected,
44 3.1.5 A listing of materials and spare parts that will be maintained in inventory,
45 3.1.6 A description of the corrective procedures that will be taken in the event of a
46 malfunction,
47 3.1.7 The calibration schedule for any device that monitors emissions or process, process
48 equipment, or air pollution control equipment operational parameters. The time between
49 calibrations shall not exceed 1 year or as specified in the program, whichever is shorter,
50 3.1.8 A description of any additional air pollution control equipment, monitoring equipment,
51 or other instrumentation that will be installed, the installation and operation of which is
52 necessary to minimize the likelihood of the occurrence of a malfunction,
53 3.1.9 A description of any operational changes that will be instituted that are necessary to
54 minimize the likelihood of the occurrence of a malfunction,
55 3.1.10 If full implementation of a component of the malfunction prevention program will not
56 occur upon approval by the District, then a schedule for implementation of that
57 component,
58 3.1.11 The recommended length of time for the malfunction prevention program to remain in
59 effect, and
60 3.1.12 Any other information that the District deems appropriate.
- 61 3.2 The owner or operator of an affected facility shall submit a malfunction prevention program
62 to the District within 120 days of receipt of written notification from the District that a
63 program is required. If the District determines that a revision to the program is necessary,
64 the owner or operator shall, within 60 days of receipt of written notification from the District
65 of a deficiency, submit a revision to the program addressing the deficiency.
- 66 3.3 After providing an opportunity for public review and comment on an initial malfunction
67 prevention program, the District may approve the program. Upon receipt of written
68 notification from the District that a submitted malfunction prevention program is approved,
69 the owner or operator of the affected facility shall implement the approved program. The
70 approved program shall be an enforceable requirement of the applicable District permit for
71 the process and process equipment included in the program.
- 72 3.4 In addition to any required revision of a malfunction prevention program pursuant to section
73 3.1 or 3.2, the owner or operator of an affected facility may periodically revise the program
74 as necessary to satisfy the requirements of this regulation or to reflect changes in equipment
75 or procedures for the affected facility. Any revised program shall be submitted to the
76 District. After providing an opportunity for public review and comment on a revision to a
77 program determined by the District to be substantive, the District may approve the revised
78 program. Upon receipt of written notification from the District that the revised program is
79 approved, the owner or operator of the affected facility shall implement the approved revised
80 program. The approved revised program shall be the enforceable requirement of the
81 applicable District permit.
- 82 3.5 The owner or operator may reference, in whole or in part, in a malfunction prevention
83 program the affected facility's standard operating procedure manual, an Occupational Safety
84 and Health plan, or other program to meet some or all of the requirements of this regulation.
- 85 3.6 The owner or operator of the affected facility shall keep adequate records to document

[If adopted, this would be a new regulation]

[Approved by the Committee of the Whole on January 13, 2005, for Public Review]

86 implementation of the components of the malfunction prevention program. These records
87 shall be maintained for a minimum of 5 years and made available to the District upon
88 request.

89 3.7 The District, after providing an opportunity for public review and comment, may discontinue
90 the requirement for an owner or operator to implement a malfunction prevention program.
91 If the District determines that discontinuation of this requirement is appropriate, based upon
92 a supporting history that the program has been successful in minimizing malfunctions, then
93 the District shall notify the owner or operator in writing and the program shall no longer be
94 an enforceable requirement of the applicable District permit.

95 Adopted v1/_____; effective _____.